

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2220 - HB 2272

April 11, 2022

SUMMARY OF BILL AS AMENDED (015714, 017287): Creates the *Overdose Fatality Review Act*, which creates a framework for establishing county or regional multidisciplinary overdose fatality review teams to examine and understand the circumstances that lead to a fatal overdose so that policy recommendations and resource allocations can prevent future overdoses.

Requires each local team to submit an annual de-identified report including data related to fatal overdoses and recommendations for policy changes to prevent overdoses to the Department of Health (DOH) and the county health department for the local jurisdiction. States that DOH will combine all annual reports and submit the aggregate data to the governor and both health committees of the Tennessee General Assembly (TGA).

States that a team member who shares or discusses confidential matters with the local team during a meeting is not subject to civil or criminal liability. Creates a Class B misdemeanor offense for a person who violates confidentiality provisions established in the Act.

States that information and records kept by certain agencies must be provided to the local team following a records request.

Authorizes DOH to promulgate rules to effectuate the purposes of this Act.

FISCAL IMPACT OF BILL AS AMENDED:

Increase State Expenditures - \$77,300/FY22-23 and Subsequent Years

Increase Local Expenditures - \$1,146,400/FY22-23 and Subsequent Years/Permissive

Assumptions for the bill as amended:

- The proposed legislation does not explicitly address compensation or reimbursement of expenses form members serving on review teams. It is assumed that such members will serve without compensation but will be reimbursed for travel expenses incurred in the performance of their official duties. The precise permissive increase in local expenditures associated with travel reimbursement is unknown but estimated to be \$10,000 per year.

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- Assuming counties will group into local teams with an average of five counties, this will create 19 (95 counties / 5) local teams. Based on information provided by DOH, each local team will require an Administrative Services Assistant 3 to facilitate requirements imposed by the Act. Therefore, there will be a permissive recurring increase in local expenditures of \$1,136,390 (\$45,350 salary + \$14,460 benefits x 19 positions) in FY22-23 and subsequent years. The total permissive recurring increase in local expenditures is estimated to be \$1,146,390 (\$10,000 + \$1,136,390).
- In order to adequately carry out the proposed legislation, DOH will require the one Program Director 2 to manage the coordination of reports. Therefore, there will be a recurring increase in state expenditures of \$77,311 (\$55,128 salary + \$16,083 benefits + \$6,100).
- There will not be enough Class B misdemeanor convictions to result in a significant increase in revenue or expenditures as a result.
- Any increase in court proceedings as a result of the proposed legislation will be managed within existing court resources and personnel.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/cd